

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

IN RE:

TODD AARON FISHER,

Debtor.

JUDY A. ROBBINS,
UNITED STATES TRUSTEE
FOR REGION FOUR,

Movant,

v.

TODD AARON FISHER,

Respondent.

Case No. 17-50059

Motion No. _____

Notice of Motion and Hearing

The United States Trustee has filed a Motion for Sanctions.

PLEASE TAKE NOTICE that a hearing on the forgoing Motion will be held on March 15, 2017, at 10:00 a.m. in Harrisonburg, Courtroom, 3rd Flr, US Courthouse, 116 N Main St., Harrisonburg, VA 22802.

If you do not want the Court to grant the relief requested in the motion, then, pursuant to Local Rule 9013-1, you must file a response on or before March 8, 2017. Absent a timely filed response, a proposed order will be tendered to the Court granting the relief requested in the motion and the Court may treat the motion as conceded and enter the proposed order without the necessity of holding a hearing.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

Dated: 14 February 2017

Margaret K. Garber (VSB No. 34412)
Office of the United States Trustee
210 First Street, Suite 505
Roanoke, VA 24011
(540) 857-2806
margaret.k.garber@usdoj.gov

Respectfully submitted,

JUDY A. ROBBINS,
United States Trustee for Region Four

By: /s/ Margaret K. Garber

Motion for Sanctions

Comes now the United States Trustee for Region Four and moves this court to sanction the debtors, and in support thereof, the United States Trustee states as follows:

1. This case was commenced by the filing of a voluntary petition pursuant to Chapter 7 of Title 11 on or about January 24, 2017 by Todd Aaron Fisher (Fisher or debtor).
2. Prior to this bankruptcy filing, the debtor filed a voluntary petition pursuant to Chapter 7 of Title 11 on November 28, 2016. The case was assigned Number 16-51120. On December 13, 2016, this case was dismissed as a result of the debtor's failure to comply with court order to file the required statement and schedules.
3. Prior to this bankruptcy filing, the debtor filed a voluntary petition pursuant to Chapter 7 of Title 11 on June 24, 2016. The case was assigned Number 16-50614. On July 18, 2016, this case was dismissed as a result of the debtor's failure to comply with court order to file the required statement and schedules.
4. These multiple filings and the debtor's disregard of the duties and obligations imposed upon him by the United States Bankruptcy Code, indicate that the current filing, at least, was made with bad faith, and is an abuse of the provisions of the Bankruptcy Code.
5. The debtor has continuously abused the bankruptcy system.
6. That said serial filings are in bad faith and are burdensome to the Court, creditors, the Clerk of U.S. Bankruptcy Court, the trustees and others.

WHEREFORE, the United States Trustee requests that this Court order the following relief:

1. That this case be dismissed.
2. That the debtor be prohibited from filing any bankruptcy petition for a period of 180 days from the date of the Order dismissing this case.
3. The United States Trustee requests such other relief as the Court may deem just.

Dated: 14 February 2017

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Respectfully submitted,

JUDY A. ROBBINS,
United States Trustee for Region Four

By: /s/ Margaret K. Garber

Certificate of Service

I hereby certify that a true and correct copy of the foregoing motion and notice was electronically filed on this the 14th day of February, 2017 with the United States Bankruptcy Court and that copies of this motion were mailed by first class mail to the debtor, and, if a matrix of creditors was filed by the debtor, to all of the creditors listed on the matrix as well as the trustee.

/s/ Margaret K. Garber
Margaret K. Garber